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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF LINDSAY COOPER
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S ADMINISTRATIVE MOTION TO
FILE UNDER SEAL ITS OFFERS OF
PROOF REGARDING REASONABLE
ROYALTY DAMAGES AND
DISCLOSURE OF THE ASSERTED
TRADE SECRETS**

1 I, Lindsay Cooper, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal information in its offers of proof regarding reasonable royalty damages and disclosure of the
8 asserted trade secrets (the “Administrative Motion”). The Administrative Motion seeks an order
9 sealing the following materials:

Document	Portions to Be Filed Under Seal	Designating Party
Ex. 1 to November 12 jury instruction submission (“Disclosure Offer of Proof”)	Entire document	Waymo and Defendants
Ex. 2 to November 12 jury instruction submission (“Reasonable Royalty Offer of Proof”)	Entire document	Waymo and Defendants

15 3. Waymo has filed the Disclosure and Reasonable Royalty Offers of Proof described in
16 the table above under seal in part because they contain information that Defendants have designated
17 confidential. Waymo expects Defendants to file one or more declarations in accordance with the
18 Local Rules.

19 4. Waymo’s Offers of Proof also contains or refers to trade secret and confidential
20 business information, which Waymo seeks to seal. Portions of Waymo’s Offers of Proof contain,
21 reference, and/or describe Waymo’s asserted trade secrets. Specifically, portions of Waymo’s Offers
22 of Proof describe the trade secrets that Waymo asserts in this case, along with details of their
23 development, details of their benefits and value, and details of their disclosure to third party suppliers
24 (whose identities remain confidential and proprietary). I understand that these trade secrets are
25 maintained as secret by Waymo (Dkt. 25-47) and are valuable as trade secrets to Waymo’s business
26 (Dkt. 25-31). The public disclosure of this information would give Waymo’s competitors access to in-
27 depth descriptions—and analysis—of the functionality of Waymo’s autonomous vehicle system. If
28

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in San Francisco, California, on November 12, 2017.

By /s/ Lindsay Cooper
Lindsay Cooper
Attorneys for WAYMO LLC

SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Lindsay Cooper.

/s/ Charles K. Verhoeven
Charles K. Verhoeven